

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
No. 3:21-CV-635

ERIC GARNER,)
)
)
)
)
Plaintiff,)
)
)
v.)
)
)
KILOLO KIJAKAZI,)
)
) ORDER FOR REMAND
)
)
Acting Commissioner of)
Social Security)
)
Defendant.)
)
)

This matter is before the court on Plaintiff's Complaint and Defendant's Motion for Remand to the Commissioner for further administrative proceedings. The Commissioner wishes to conduct further fact finding, including holding a new administrative hearing before a different administrative law judge.

The Court finds good cause has been alleged for remand and that further administrative fact-finding is warranted. Accordingly, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and remands the case to the Commissioner for further proceedings, including a new hearing before a different administrative law judge. See

Shalala v. Schaefer, 509 U.S. 292 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

The Clerk of Court is directed to enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED.

Signed: June 6, 2022


Graham C. Mullen
United States District Judge
